IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FOURTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO : 3756 of 2005

Between:

K. Vanaja, D/o. K. Yadagiri,
R/o. H.No. 18-44, Thorruru Post & Mandal, Warangal District.

..... PETITIONER

AND

1. The Govt of A.P., rep. by its Secretary, Education Department, A.P., Secretariat, Hyderabad.
2. The Commissioner & Director of School Education, A.P., Hyderabad.
3. The District Collector/Chairman, D.S.C. 2002, Warangal, Warangal District.
4. The District Eduational Officr, /Secretary, D.S.C. 2002, Warangal, Warangal District.

....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue an appropriate writ or orders, more particularly one in the nature of Writ of Ceritiorari calling for records pertaining to the orders passed by the Hon'ble Andhra Pradesh Administrative Tribunal in O.A.No.9872/2002 dt. 9.12.2004 and set side the same as erroneous and consequently direct the 1st respondent herein to pass appropriate orers for relaxation regarding the possessing of the required certificates as on the date of notification and also to direct the respondents to appoint the petitioner as Secondary Grade Teacher by duly declaring the action of the respondents in not doing the same as illegal, arbitrary and violative of Articles 14 & 16 of the Constitution of India and to pass such other order or further orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner:MR.G.VENKATESWARLU
Counsel for the Respondent No.: GP FOR SERVICES I

The Court made the following :

ORDER: **(Per the Hon'ble Sri Justice G.Bikshapathy)**

This Writ Petition is filed assailing the order dated 9-12-2004 in OA.No. 9872 of 2002 on the file of the A.P. Aministrative Tribunal.

2. The matter relates to the appointment of the petitioner as Secondary Grade Teacher. It is the case of the petitioner that though she appeared for B.Ed., examination, results were not declared. When she forwarded her application for the post that was sought to be refused. Therefore, petitioner filed O.A.No. 9872 of 2002. In pursuance of the interim directions granted by the Tribunal, the petitioner appeared for test and she secured 60.5 marks. The Tribunal disposed of the O.A. and observed as follows:

> *" This is a matter where the result of B.Ed., of the applicant was not declared. Initially the applicant was permitted to appear for examination and secured 60.5 marks in the DSC., Selection, but since the result of B.Ed., was not declared, she was not selected.*
>
> *Heard the learned counsel for the applicant.*
>
> *If the Government thinks it fit and proper, they may pass appropriate orders in the light of the relaxation orders passed by it in favour of the petitioner within a period of 4 weeks from today. The O.A. is disposed of accordingly."*

3. The learned counsel for the petitioner submits that the persons who secured lesser marks than the petitioner were appointed, and though the petitioner secured 60.5 marks, she was denied the appointment.

4. We are unable to accept the contention of the learned counsel for the petitioner. Inasmuch as in pursuance of the direction issued by the Tribunal, the District Educational Officer passed an order, dated 3-1-2005 rejecting the case of the petitioner.

5. We are not inclined to consider the matter. We leave it open to the petitioner to challenge the consequential order, if she so chooses.

6. Accordingly, the writ petition is dismissed. No order as to costs.

_____

G.Bikshapathy,J

_____

P.S.Narayana, J.

14th March, 2005.

KM

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Govt of A./P., rep. by its Secretary, Education Department, A.P., Secretariat, Hyderabad.
2. The Commissioner & Director of School Education, A.P., Hyderabad.
3. The District Collector/Chairman, D.S.C. 2002, Warangal, Warangal District.
4. The District Eduational Officr, /Secretary, D.S.C. 2002, Warangal, Warangal District.
5. 2 CCs to G.P. for Services-I, High Court Buildings, Hyd. (OUT)
6. 2 CD copies
7. 1 CC to MR.VENKATESHWARLU GUMMADAVELLY

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and

THE HON'BLE MR JUSTICE P.S.NARAYANA

-

-

-

-

-

-

-

-

-

-

-

-

WRIT PETITION NO : 3756 of 2005

14th March, 2005.